

**RESOLUTION NO. 2019 - 141**

**A RESOLUTION APPROVING A ZONE CHANGE FOR THE ROBERT LUCKE GROUP DEVELOPMENT WITH A PLANNED UNIT DEVELOPMENT OVERLAY AND DISPENSING WITH A SECOND READING**

**WHEREAS**, application (the “Application”) was made by Robert Lucke Group, Inc. (the “Applicant”) on behalf of John Shumard, Kemper Road Corner LLC, and Janice Lyons (the “Owners”) for a zone change with a planned unit development overlay in Case Number 2019-18Z; and

**WHEREAS**, the real property in Case No. 2019-18Z, consists of the real property located at 7964 East Kemper Road, 7976 East Kemper Road, 11643 Solzman Road, and 11655 Solzman Road in Sycamore Township, Hamilton County, Ohio, and are designated as Hamilton County Auditor’s Parcel Numbers 600-0013-0033-00, 600-0013-0034, 600-0013-0035, and 600-0013-0036 (the “Real Property”);

**WHEREAS**, on November 12, 2019, after proper notice having been given, the Sycamore Township Zoning Commission held a public hearing to consider the application for approval of the zone change with a planned unit development overlay in Case Number 2019-18Z; and

**WHEREAS**, the Real Property is currently located in an “A”- Single Family Residential District and the Application for the zone change is for an “OO” – Planned Office District with a Planned Unit Development overlay; and

**WHEREAS**, on November 12, 2019, in an open meeting, the Sycamore Township Zoning Commission recommended approval of the development with certain conditions; and

**WHEREAS**, on December 5, 2019, after proper notice having been given, the Board of Township Trustees of Sycamore Township held a public hearing to consider the application for the zone change in Case No. 2019-18Z;

**NOW THEREFORE, BE IT RESOLVED**, by the Board of Township Trustees of Sycamore Township, State of Ohio:

**SECTION 1.** The Application for the zone change for the Real Property to a zoning designation of “OO” – Planned Office District with a Planned Unit Development overlay is hereby approved. This approval is subject to the Real Property being in compliance with all of the conditions set forth on the attached Exhibit A which are incorporated as if fully rewritten herein.

**SECTION 2.**

Any use and improvements made to the Real Property which is the subject of this Resolution shall be made and constructed in compliance with the plans, specifications, and renderings submitted to the Board of Township Trustees of Sycamore Township on December 5, 2019 as approved by this Resolution including the conditions set forth on the attached Exhibit A.

**SECTION 3.**

No Zoning Certificate shall be issued by the Zoning Administrator until:

- A) a Zoning Compliance Plan in compliance with this Resolution has been received and approved by the Zoning Administrator;
- B) all documents submitted for zoning certificates are fully coordinated and consistent with the approved Zoning Compliance Plan;

No building permit for actual construction shall be issued by the Hamilton County Building Commissioner before a Zoning Certificate is received from the Zoning Administrator.

**SECTION 4.**

No Final Zoning Certificate shall be issued by the Zoning Administrator until the development complies with all requirements contained in this Resolution and the Zoning Compliance Plan and, unless waived by the Zoning Administrator, the following documents are received and approved by the Zoning Administrator:

- A) a summary report from Hamilton County Engineer certifying that the approved plans and specifications for roadway and access improvements, either on-site or off-site, have been completely implemented, and that any required rights-of-way have been dedicated;
- B) a summary report from the developer's registered engineer or surveyor as required by and addressed to the Hamilton County Director of Public Works Department certifying that the approved plans and specifications for storm drainage improvements have been completely implemented; the Director of Public Works shall inform the Zoning Administrator when such letter is received and approved;
- C) a summary report from the Metropolitan Sewer District or Hamilton County Board of Health certifying that the approved plans and specifications for sanitary sewer and wastewater treatment have been completely implemented;
- D) a summary report from the registered landscape architect who prepared the plan, certifying completion of the landscape plan, and soil erosion and sedimentation control measures as specified on the approved plan and noting any deviations and the reasons for such deviations;

- E) a summary report from the Sycamore Township Fire Chief certifying that the approved plan and specifications for fire prevention and control have been completely implemented, and
- F) a summary report from the applicant's registered engineer, surveyor or attorney certifying that required easements for access, utilities, or other purposes have been recorded in the Office of the Hamilton County Recorder.

**SECTION 5.**

All aspects of the development of the Real Property including, but not limited to, drainage, property improvements, lighting, landscaping, and ground cover, as set forth in the plans, specifications, covenants, conditions, requirements and limitations of the Zoning Compliance Plan and contained in this Resolution, including any exhibits attached hereto shall be continually maintained by the owner of the property. Any failure to so maintain the development shall be considered a violation of the Sycamore Township Zoning Resolution and shall be subject to all penalties and remedies thereunder.

**SECTION 6.**

The Trustees of Sycamore Township upon at least a majority vote do hereby dispense with any requirement that this resolution be read on two separate days, and hereby authorize the adoption of this resolution upon its first reading.


**SECTION 7.**

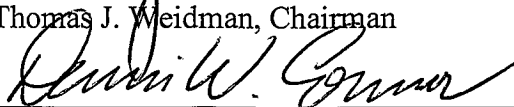
This resolution shall take effect on the earliest date allowed by law.

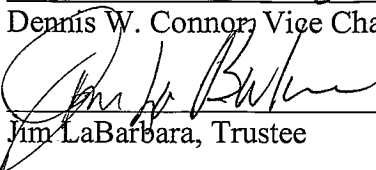
**VOTE RECORD:**

Mr. Connor AYE      Mr. LaBarbara AYE      Mr. Weidman AYE

**Passed** at a meeting of the Board of Township Trustees of Sycamore Township this 17<sup>th</sup> day of December, 2019.

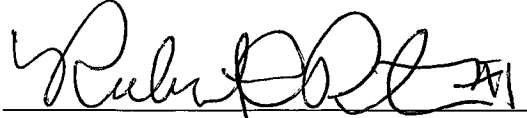
  
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Thomas J. Weidman, Chairman

  
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Dennis W. Connor, Vice Chairman

  
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Jim LaBarbara, Trustee

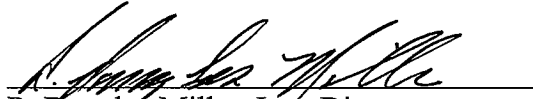
**AUTHENTICATION**

This is to certify that this Resolution was duly passed and filed with the Sycamore Township Fiscal Officer, this 17<sup>th</sup> day of December, 2019.



Robert C. Porter, III, Fiscal Officer  
Sycamore Township, Ohio

**APPROVED AS TO FORM:**



R. Douglas Miller, Law Director  
Sycamore Township, Ohio

## **EXHIBIT A**

1. The Applicant or Owners must obtain and execute shared parking, access, and landscape easement agreements with the surrounding property owners. Such agreements shall be submitted to staff with the Zoning Compliance Plan.
2. The proposed astride boundary buffers and shared landscaping areas shall meet the minimum requirements for boundary buffer planting, size, and quantity.
3. The sign on Solzman Road shall only be permitted if there was is curb cut on Solzman Road.
4. Any lighting on the Real Property shall conform to the lighting requirements of the Sycamore Township Zoning Resolution.
5. Any ingress curb cut from Solzman Road may have full access to the Real Property. Any egress curb cut onto Solzman Road shall be limited to a right turn out only. Such ingress and egress shall be shown on the Zoning Compliance Plan.